

## **Attachment 2- Eligible Applicant Documentation**

Humboldt Bay Municipal Water District Groundwater Study

DWR Local Groundwater Assistance Grant Program, P84 LGA 2012 Application

BMS Electronic File: "Att2\_LGA12\_HBMWD\_EligDoc\_1of1"

The Humboldt Bay Municipal Water District's (HBMWD) certification of eligibility to apply for the 2012 California Department of Water Resources 2012 Local Groundwater Assistance Grant Program is included in this attachment.





## HUMBOLDT BAY MUNICIPAL WATER DISTRICT

828 SEVENTH STREET, PO BOX 95 • EUREKA, CALIFORNIA 95502

OFFICE 707-443-5018 ESSEX 707-822-2918

FAX 707-443-5731 707-822-8245

EMAIL [OFFICE@HBMWD.COM](mailto:OFFICE@HBMWD.COM)

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CAROL RISCHE

July 9, 2012

California Department of Water Resources  
Division of Integrated Regional Water Management  
Regional Planning Branch  
Post Office Box 942836  
Sacramento, California 94236-0001

RE: Humboldt Bay Municipal Water District  
2012 Local Groundwater Assistance Grant Program Application  
For Groundwater Studies  
Application Section: Attachment 2

This letter is intended to address the requirements for Attachment 2, Eligible Applicant Documentation of the 2012 Local Groundwater Assistance (LGA) Grant Program Application. Humboldt Bay Municipal Water District (HBMWD) is a regional domestic and industrial water provider, supplying domestic water to approximately 88,000 people in the Humboldt Bay area. The requirements of the Local Groundwater Assistance Grant Program application are presented in italics, HBMWD's response immediately follows.

*Is the applicant a local public agency as defined in CWC 10701(a)? Please explain.*

HBMWD is a special water district with water rights within the Mad River Valley-Lowland Groundwater Basin and meets the definition of a local public agency as defined in California Water Code (CWC) Section 10701(a).

*What is the statutory or legal authority under which the applicant was formed and is authorized to operate?*

The HBMWD was formed under CWC Section 71000. In preparation of the 2004 LGA Grant Program application, HBMWD's attorney, David Martinek, issued a letter identifying the sections of the CWC for which the applicant was formed. A copy of this correspondence is attached.

*Does the applicant have legal authority to enter into a grant agreement with the State of California?*

Per sections 71590 and 71592 of the CWC, municipal water districts may contract and do all acts necessary for the full exercise of their powers.

*Describe any legal agreements among partner agencies and/or organizations that ensure performance of the project and tracking of funds.*

The HBMWD does not have or require any legal agreements among partner agencies or organizations that ensure performance of the project or tracking of funds as HBMWD will take full responsibility for the project performance and tracking of the funds. The District has a long history of exceptional project performance and fund accounting for numerous grant and loan programs including for the Local Groundwater Assistance grants.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Cecil Wilson', with a long horizontal flourish extending to the right.

Cecil Wilson  
Business Manager/Controller

Attachments

David E. Martinek, January 26, 2004 correspondence

DAVID H. DUN  
(dhd@dunmartinek.com)

DAVID E. MARTINEK  
(dem@dunmartinek.com)

PAMELA GIOVANNETTI  
(pam@dunmartinek.com)

RANDALL H DAVIS  
(rhd@dunmartinek.com)

SHELLEY C. ADDISON  
(sca@dunmartinek.com)

**DUN & MARTINEK LLP**

ATTORNEYS AT LAW

2313 I STREET

EUREKA, CALIFORNIA 95501

TELEPHONE: (707) 442-3791

FACSIMILE: (707) 442-9251

MAILING ADDRESS

P.O. BOX 1266

EUREKA, CALIFORNIA 95502

LEGAL ASSISTANTS

JO-ANNE STEVENS  
(jaf@dunmartinek.com)

RUTH A. JOHNSON  
(raj@dunmartinek.com)

KYRIE M. COFFELT  
(kmc@dunmartinek.com)

January 26, 2004

Via fax 444-8330

Alex Culick  
Winzler & Kelly  
633 Third St.  
Eureka, CA 95501-0417

Re: Local Groundwater Assistance Grant

Dear Mr. Culick:

I am counsel for the Humboldt Bay Municipal Water District ("District"). You have asked me to express an opinion on various matters regarding the District's application for a local groundwater assistance grant.

Municipal water districts are formed under Water Code Section 71000 et seq. Municipal water districts may contract and do all acts necessary for the full exercise of their powers. See Water Code sections 71590 and 71592.

An election is not required. The board is authorized to exercise the District's powers. Water Code Section 71300.

Any funding agreement will not need to be reviewed by other governmental agencies and there is no pending litigation that significantly impacts the financial condition of the District.

Very truly yours,

DUN & MARTINEK LLP

David E. Martinek